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10/022,220

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Suzanne Scott

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09/13/2006

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WASHINGTON, DC 20001

EXAMINER

DAO, MINH D

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/022,220 | Applicant(s) SCOTT, SUZANNE | |
| | Examiner MINH D. DAO | Art Unit 2618 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-11, 13-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 06/29/06 have been fully considered but they are not persuasive.

In response to applicant's argument, on page 6, that cited reference Dunlap is not related to "multiple call handling simultaneously during in-call operation, wherein the mobile device is receiving or initiating the pending calls". Examiner disagrees. Dunlap, col. 6, lines 1-11, teaches "a call window permits the display of information related to multiple simultaneous calls on the same directory" and therefore Dunlap teaches "multiple call handling simultaneously during in-call operation, wherein the mobile device is receiving or initiating the pending calls".

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-11, 13-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap et al. (US 6,757,372) in view of Sudo (US 6,070,068).

Regarding claim 17, Dunlap teaches a telecommunications device (see fig. 1B) including a display (see fig. 1B, display 112) and a control unit (see fig. 1B, Buttons 114, Keys 116 and 120; col. 5, lines 23-35) configured to show a list of pending calls on the display for multiple call handling simultaneously during in-call operation, wherein the mobile telecommunications device is receiving or initiating the pending calls (see figs. 3A, 3B and 3C; col. 6, lines 1-11), and said list includes at least two calls being selectable by a user (see fig. 3A), and upon selection of one of the at least two calls, the control unit displays a sub-menu listing call handling options specific to the selected call (see fig. 3C, Options Hold, Trsfr, EndCall, More; col. 6, lines 1-33). However, Dunlap fails to teach that the communications device is a mobile device capable of displaying option for handling call and displaying a sub-menu listing call handling options. Parikh, in an analogous art, teaches a wireless communications device (see figs. 2 and 7b; col. 2, lines 50-61) which displays pending call option and options to handle the calls on its display unit. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Parikh to Dunlap in

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order for the combined system to view and access current and incoming call as taught by Parikh.

Regarding claim 2, the combination of the teachings of Dunlap and Parikh teaches a mobile telecommunications device according to claim 17, wherein the list of options in a sub menu changes depending on the status of the selected call (see Dunlap, figs. 3B and 3C).

Regarding claim 3, the combination of the teachings of Dunlap and Parikh teaches a mobile telecommunications device according to claim 17 wherein the list of options in a sub-menu changes depending on the status of the unselected pending calls (see Dunlap, figs. 3A and 3C).

Regarding claim 4, the combination of the teachings of Dunlap and Parikh teaches a mobile telecommunications device according to claim 17, wherein the call selected from the menu is identified on the sub-menu adjacent the list of options associated with the selected call (see Parikh, figs. 2 and 7b; col. 2, lines 50-61).

Regarding claims 5-6,11, the claims have the limitations as that of claim 17 and therefore are rejected for the same reason set forth in the rejection of claim 17 (also see Parikh, figs. 2 and 7b; col. 2, lines 50-61).

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Regarding claim 7, the combination of the teachings of Dunlap and Parikh teaches a mobile telecommunications device according to claim 1, wherein the control unit includes a scroll key and an option key configured such that the user can highlight a pending call in the menu using the scroll key and select the highlighted call by pressing the option key (Reference Dunlap, fig. 1b, item 120)

Regarding claims 8-10, the claims have the limitations as that of claim 7 and therefore are rejected for the same reason set forth in the rejection of claim 7.

Regarding claim 18, the combination of the teachings of Dunlap and Parikh teaches a mobile telecommunications device according to claim 17 comprising: a plurality of call handling keys; and wherein the call handling keys are operated to signal the control unit to select one of the at least two calls and thereafter to activate further actions to be taken by the control unit (see Dunlap, figs. 3A, 3B and 3C; col. 6, lines 1-11).

Regarding claim 19, the combination of the teachings of Dunlap and Parikh teaches a mobile telecommunications device according to claim 18 wherein: one of the call handling keys is operated to end the selected one of the at least two calls (see Dunlap, figs. 3A, 3B and 3C; col. 6, lines 1-11).

Regarding claim 20, the claims have the limitations as that of claim 17 and therefore are rejected for the same reason set forth in the rejection of claim 17.

Regarding claims 13-16, the claims have the limitations as that of claim 20 and therefore are rejected for the same reason set forth in the rejection of claim 20.

Regarding claim 21, the claims have the limitations as that of claim 18 and therefore are rejected for the same reason set forth in the rejection of claim 18.

Regarding claim 22, the claims have the limitations as that of claim 18 and therefore are rejected for the same reason set forth in the rejection of claim 19.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D. DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW ANDERSON can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Minh Dao *MD*
Art Unit 2682
September 8, 2006



Mathew Anderson
Supervisor AU 2618